

FILED

MAR 10 2016

**SECRETARY, BOARD OF
OIL, GAS & MINING**

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR
AGENCY ACTION OF CCI PARADOX
UPSTREAM LLC FOR AN ORDER
ESTABLISHING A SPECIAL DRILLING UNIT
FOR THE MIDDLE MESA FEDERAL
26-23-29-24 DIRECTIONALLY DRILLED WELL
FOR THE PRODUCTION OF GAS AND
ASSOCIATED OIL AND HYDROCARBONS
FROM THE HERMOSA FORMATION
COMPRISED OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ AND
SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 26, TOWNSHIP 29
SOUTH, RANGE 24 EAST, SLM, SAN JUAN
COUNTY, UTAH

**MOTION FOR ALLOWANCE OF
TELEPHONIC/ELECTRONIC
PARTICIPATION**

Docket No. 2016-006

Cause No. 166-08

COMES NOW, CCI Paradox Upstream LLC ("CCI"), acting by and through its attorneys, MacDonald & Miller Mineral Legal Services, PLLC, and pursuant to Utah Admin. Code Rules R641-100-400, R641-100-600 and R641-105-300, and hereby respectfully requests the Board of Oil, Gas and Mining (the "Board") to allow telephonic/electronic participation by CCI's witnesses at the March 23, 2016 hearing in this Cause.

The issues in this Cause are relatively uncomplicated and straightforward, and the matter is uncontested. CCI expects the matter may be heard in less than 20 minutes. If CCI's witnesses were required to appear in person, they would be required to fly to and from Houston and incur overnight hotel expenses. As the Board is also aware, current market prices for oil and gas are such that it is becoming increasingly difficult to incur

additional travel expenses with decreased operations budgets. Weighing these factors against the fact no prejudice should arise from electronic participation supports this Motion. The Board has recently granted a similar Motion for similar reasons (*see* Docket No. 2016-004; Cause No. 131-142).

Electronic appearance by witnesses may be allowed by the Board upon good cause shown if circumstances prevent attendance in person and with at least 48 hours advance notice (*see* Utah Admin. Code Rules R641-100-631 and 632). The hearing on this Cause is not scheduled until March 23, 2016. In addition, with the matter being uncontested, the Division of Oil, Gas and Mining (the “Division”) is the only other party. The undersigned has informally advised the Division of the situation and this Motion, and it has expressed no objection. Although the above-described circumstances will not *prohibit* personal appearance, they certainly create unnecessary hardship if personal appearance is mandated. As such, CCI requests the Board to exercise its right under Rule R641-100-400 to waive personal appearance in this matter.

If its Motion is granted, CCI will comply with all other provisions of Utah Admin. Code Rule R641-100-600, including the requirement to have an attorney present at the noticed location (*see* Utah Admin. Code Rule R641-1090-633). Additionally, if its Motion is granted, CCI will work with the Board’s staff prior to the hearing date to ensure its video conferencing capabilities are compatible with the Board’s system to

prevent problems at the hearing. If for some reason video participation cannot be arranged or technical difficulties are encountered, CCI respectfully requests the Board to waive such participation and allow telephonic participating instead pursuant to Rule R641-100-611. A proposed Order is submitted herewith.

Respectfully submitted this 10th day of March, 2016.

**MACDONALD & MILLER MINERAL
LEGAL SERVICES, PLLC**

By: 

Frederick M. MacDonald, Esq.

Attorneys for Petitioner CCI Paradox
Upstream LLC

FMM/mk
1675.01

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION OF CCI PARADOX UPSTREAM LLC FOR AN ORDER ESTABLISHING A SPECIAL DRILLING UNIT FOR THE MIDDLE MESA FEDERAL 26-23-29-24 DIRECTIONALLY DRILLED WELL FOR THE PRODUCTION OF GAS AND ASSOCIATED OIL AND HYDROCARBONS FROM THE HERMOSA FORMATION COMPRISED OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ AND SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 26, TOWNSHIP 29 SOUTH, RANGE 24 EAST, SLM, SAN JUAN COUNTY, UTAH

**ORDER ALLOWING
TELEPHONIC/ELECTRONIC
PARTICIPATION**

Docket No. 2016-006

Cause No. 166-08

The Board of Oil, Gas and Mining, having fully considered CCI Paradox Upstream LLC's ("CCI's") Motion for Allowance of Telephonic/Electronic Participation filed on March 10, 2016, and finding good cause therefor, hereby grants said Motion. CCI's witnesses are hereby authorized to participate in the March 23, 2016 in this Cause electronically. In the event video participation is not available, telephonic participation alone is authorized.

For all purposes, the Chairman's signature on a faxed copy of this Order shall be deemed the equivalent of a signed original.

DATED this ____ day of March, 2016.

**STATE OF UTAH
BOARD OF OIL, GAS AND MINING**

By: _____
Ruland J. Gill, Jr., Chairman

1675.01

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of March, 2016, I caused a true and correct copy of the foregoing Motion for Allowance of Telephonic/Electronic Participation, with proposed Order granting same, to be sent electronically (where e-mail addresses are indicated) and/or mailed, postage pre-paid, to the following:

Stephen F. Alder, Esq. Assistant Attorney General Attorney for the Division of Oil, Gas and Mining 1594 West North Temple, Suite 300 P.O. Box 145801 Salt Lake City, UT 84114-5801 E-mail: stevealder@utah.gov	Michael S. Johnson, Esq. Assistant Attorney General Attorney for the Board of Oil, Gas and Mining 1594 West North Temple, Suite 300 P.O. Box 145801 Salt Lake City, UT 84114-5801 E-mail: mikejohnson@utah.gov
Michael L. Coulthard Utah State Office Bureau of Land Management 440 West 200 South, Suite 500 Salt Lake City, UT 84101 Email: mcoultha@blm.gov	


Frederick M. MacDonald, Esq.